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EXAMINER	
ISOM, JOHN W	

ART UNIT	PAPER NUMBER
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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/574,548	TANAKA ET AL.	
	Examiner	Art Unit	
	John Isom	2447	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 August 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *17-36 and 38-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *17-36 and 38-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *07/23/2009*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. In the amendment received 08/13/2009 (the "amendment"), Applicant has amended claims 17-26 and 32-33; and cancelled claim 37.

Claims 17-36 and 38-44 are pending.

Response to Arguments

2. Applicant's arguments in the amendment, with respect to the rejection of claims 17-28, 31-36 and 41-44 under 35 U.S.C. § 103(a) as being unpatentable over Borthwick (U.S. Pub. No. 20030236836) in view of Ellson et al. (U.S. Pat. No. 5805783) (or "Ellson") and with respect to the rejection of claims 29-30 and 38-40 under 35 U.S.C. § 103(a) as being unpatentable over Borthwick in view of Ellson and further in view of Khare ("Bitstream portable font resources for Web pages," 20 February 1997, retrieved from http://www.xent.com/FoRK-archive/winter96/0524.html on 1 May 2009) (or "Khare"), have been fully considered but they are not persuasive.

In the amendment, Applicant argues that the claims are patentable over any proper combination of the cited references (page 13, last ¶), for one or more of at least the following reasons:

(A) Borthwick in view of Ellson does not disclose "said server . . . to generate control information about the 3D font for expressing the text message on the basis of the received instruction information" as in each of claims 17 and 19 (page 10, 4th ¶; page 11, 2nd-4th ¶¶);

(B) Borthwick in view of Ellson does not disclose "wherein said control information includes a parameter to control motion of the 3D font" as in each of claims 17, 19 and 23 (page 10, 5th ¶; page 11, 1st-4th ¶¶; page 13, 2nd-3rd ¶¶);

(C) Borthwick in view of Ellson does not disclose "said second terminal to specify the 3D font necessary for reproducing the 3D character mail on the basis of the text message and the control information received from said first terminal" as in claim 20 (page 12, 1st-4th ¶¶); and

(D) Borthwick in view of Ellson does not disclose "to transmit the text message, the generated control information, and the 3D font used to express the text message, directly to a second terminal" as in each of claims 21 and 23 (page 12, last ¶; page 13, 1st ¶).

In response, the examiner respectfully traverses, and offers the following evidence and argument in support of the traversal:

The claims are unpatentable over Borthwick in view of Ellson because

(A) Borthwick in view of Ellson teaches "said server . . . to generate control information about the 3D font for expressing the text message on the basis of the received instruction information" as in each of claims 17 and 19;

(B) Borthwick in view of Ellson teaches "wherein said control information includes a parameter to control motion of the 3D font" as in each of claims 17, 19 and 23;

(C) Borthwick in view of Ellson teaches "said second terminal to specify the 3D font necessary for reproducing the 3D character mail on the basis of the text message and the control information received from said first terminal" as in claim 20; and

(D) Borthwick in view of Ellson teaches "to transmit the text message, the generated control information, and the 3D font used to express the text message, directly to a second terminal" as in each of claims 21 and 23.

Each of these arguments is addressed individually under a corresponding header as follows.

(A) Borthwick in view of Ellson teaches "said server . . . to generate control information about the 3D font for expressing the text message on the basis of the received instruction information" as in each of claims 17 and 19

Borthwick discloses an author computer 110 which includes a writer template 100 which is a downloaded copy of a writer 126 on a host server 120 (Figure 1; [0026], [0028]). Writer template 100 downloads disparate media elements 122 and 132 from host server 120 or web sites 130 ([0027]), including disparate graphic files, to create rich media productions. Each imported graphic object is contained in and associated with a container object 254, such that actions performed on one are assumed to be performed on both (Figure 2B; [0029], [0031]). The user may insert text into writer template 100. The user is allowed to import an embedded font file of editable text as a text box. The font file is associated with a container object ([0047]). Various menus are downloaded into writer template 100 from host server 120 ([0030]). For example, an

animation menu 526 may be imported into writer template 100 and used to affect the appearance and behavior of selected a text box ([0049]). A container object 254 and its contents can be animated when the user activates animation instructions that are associated with each the container object in writer template 100 ([0050]). The imported animation menu 526 includes buttons that control specific animation actions by setting variables for any user-selected object (Figure 5). For example, a speed of each animation action on an object is determined by buttons that set a speed variable on each animation variable. For each animation action, two speed buttons can be clicked to incrementally increase or decrease the speed of the action. For zoom actions, a maximum or minimum size can be set by buttons showing varying relative size ([0052]). Pause buttons on animation menu 526 determine periods of invisibility for animation actions that involve the movement of an animated object off the edge of the screen or otherwise invisible objects. The Pause buttons may represent selections of seconds of lapsed time before the object returns to visibility ([0053]).

In this disclosure of Borthwick, each of the *host server 120* and *web sites 130*, teaches "said server". The *embedded font file* teaches a "font". The disclosure that the font file is associated with a container object and that the container object and its contents can be animated, and the disclosure *to incrementally increase or decrease the speed* of animation, and the *maximum and minimum size and varying relative size of zoom*, and the *selections of seconds of lapsed time*, together teach "control information about the [] font for expressing the text message on the basis of the received instruction information". A definition of the term "generate" is "produce" (see excerpt from

"Generate Definition", *Dictionary.com Unabridged*, Random House, Inc., accessed 06 Nov. 2009 at <http://dictionary.reference.com/browse/generate>). The facts that the writer template is a downloaded copy of the writer on the host server, and that the animation menu is downloaded from the host server, imply that the host server produces a copy of the animation menu which is downloaded. Thus, the disclosure that the animation menu is downloaded from the host server, combined with the teaching that the animation menu includes "control information about the [] font", teaches "said server . . . to generate control information about the [] font".

Ellson discloses storing three-dimensional font characters and retrieving them to be manipulated in three dimensions, and output to produce a depth text image (Figures 3, 4a and 4b; column 4, lines 9-29). Thus, Ellson teaches the "3D font".

It would have been obvious to combine Ellson with Borthwick, in order to create a depth text image requiring a temporal sequence of views for an animation of the text characters (Ellson at column 7, lines 1-23).

Thus, Borthwick in view of Ellson teaches "said server . . . to generate control information about the 3D font for expressing the text message on the basis of the received instruction information" as in each of claims 17 and 19".

(B) Borthwick in view of Ellson teaches "wherein said control information includes a parameter to control motion of the 3D font" as in each of claims 17, 19 and 23

In the above-cited disclosure of Borthwick, the disclosure that the font file and its associated container object can be animated, and the *increment of increase or*

decrease of speed of animation, and the *maximum and minimum size and varying relative size of zoom*, and the *selections of seconds of lapsed time*, together teach "a parameter to control motion of the [] font". Thus, Borthwick in view of Ellson teaches "wherein said control information includes a parameter to control motion of the 3D font" as in each of claims 17, 19 and 23.

(C) Borthwick in view of Ellson teaches "said second terminal to specify the 3D font necessary for reproducing the 3D character mail on the basis of the text message and the control information received from said first terminal" as in claim 20

Borthwick discloses that writer template 100 sends the session file and the variables file to a middleware software 128 operating on host server 120. Middleware software 128 accepts and reads the session and variable files and assigns each variable in the variable data file to its corresponding variable category in a unique text data string. The text data string is written and stored on server 120 and the text data string represents all of the features of the entire rich media production, including all the static and dynamic properties of all images in the production ([0056]). A reader template 146 on a recipient computer 140 accesses and reads the unique data string of the rich media production from host server 120. Reader template 146 uses the data string to locate images and media used in the rich media production and loads the images and media into reader template 146. Reader template 146 applies the values of the variables to their corresponding objects in the rich media production, thereby

reproducing the original appearance and properties of the rich media production ([0059]).

Because the text data string represents all of the features of the entire rich media production, and the embedded font file is a feature of the rich media production (*supra*), and certain variables are set to control specific animation actions for any user-selected object (*supra*), and the variables are features of the rich media production, the disclosure that the *reader template uses the data string to locate images and media to reproduce the rich media production*, teaches "said second terminal to specify the font necessary for reproducing the character mail on the basis of the text message and the control information".

Because Ellson teaches the "3D font", and it would have been obvious to combine Ellson with Borthwick (*supra*), Borthwick in view of Ellson teaches "said second terminal to specify the 3D font necessary for reproducing the 3D character mail on the basis of the text message and the control information received from said first terminal" as in claim 20.

(D) Borthwick in view of Ellson teaches "to transmit the text message, the generated control information, and the 3D font used to express the text message, directly to a second terminal" as in each of claims 21 and 23

Borthwick discloses that multiple container objects in writer and reader templates 100 and 146 may be enabled to accept files delivered as a live video feed from another user with a video input device and software that enables peer to peer connections

directly ([0061]). This disclosure teaches "to transmit the text message, the generated control information, and the font used to express the text message, directly to a second terminal".

Because Ellson teaches the "3D font", and it would have been obvious to combine Ellson with Borthwick (*supra*), Borthwick in view of Ellson teaches "to transmit the text message, the generated control information, and the 3D font used to express the text message, directly to a second terminal" as in each of claims 21 and 23.

Conclusion

Because—

(A) Borthwick in view of Ellson teaches "said server . . . to generate control information about the 3D font for expressing the text message on the basis of the received instruction information" as in each of claims 17 and 19;

(B) Borthwick in view of Ellson teaches "wherein said control information includes a parameter to control motion of the 3D font" as in each of claims 17, 19 and 23;

(C) Borthwick in view of Ellson teaches "said second terminal to specify the 3D font necessary for reproducing the 3D character mail on the basis of the text message and the control information received from said first terminal" as in claim 20; and

(D) Borthwick in view of Ellson teaches "to transmit the text message, the generated control information, and the 3D font used to express the text message, directly to a second terminal" as in each of claims 21 and 23

—the examiner concludes that the claims are unpatentable over Borthwick in view of Ellson. Accordingly, the instant rejections are continued, *infra*.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims **17-28, 31-36 and 41-44** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Borthwick** (U.S. Pub. No. 20030236836) in view of **Ellson et al.** (U.S. Pat. No. 5805783) (or "Ellson").

With regard to claim **17**, Borthwick teaches: A character mail system for reproducing electronic mail, comprising:

a first terminal (110) to create character mail, to generate instruction information for expressing an input text message using a font, and to transmit the text message and instruction information to a server (120,130) (Figure 1; [0056], [0026], [0028]);

said server to store a font ([0027], [0047]), to generate control information about the font for expressing the text message on the basis of the received instruction information (Figure 5; [0030], [0049], [0050]), and to store the received text message and the generated control information as message information ([0056]), wherein said control information includes a parameter to control motion of the font ([0052], [0053]),

and said first terminal further transmitting access path information to access the message information stored in said server to said a second terminal ([0056]); and

said second terminal to access said server on the basis of the access path information received from said first terminal, to download the message information and a corresponding font, and to reproduce the character mail ([0059], [0047]).

Borthwick does not teach, but Ellson does teach: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Based on Borthwick in view of Ellson, it would have been obvious to a person having ordinary skill in the art at the time the Applicant's invention was made, to combine the teaching of Ellson with the claimed subject matter as taught by Borthwick, in order to create a depth text image requiring a temporal sequence of views for an animation of the text characters (Ellson at column 7, lines 1-23).

With regard to claim **18**, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 17 (see discussion above). Borthwick further teaches: wherein said first terminal further downloading the message information and a corresponding font from said server and reproducing the character mail, to thereby previously confirm a reproduced state of the character mail (i.e., an email menu includes a second text box for an email address where the sender intends to store a personal copy of the record of the rich media production; [0056]; because the sender's computer is a client computer, it can include a reader template to display the rich media production; [0011]). Ellson further teaches: 3D character, 3D font, and 3D message

information (Figures 3, 4a and 4b; column 4, lines 9-29). Therefore, the limitations of claim 18 are rejected in the analysis of claim 17, and the claim is rejected on that basis.

With regard to claim **19**, Borthwick teaches: A character mail system for reproducing electronic mail comprising:

a first terminal (110) to create character mail (Figure 1; [0056]), to store a font (i.e., an embedded font file may be imported into writer template 100 on author computer 110; [0047], [0030]), to generate control information about the font for expressing an input text message (i.e., pause buttons may be associated with variables that are entered as keyboard entries and thereby provide input for functions that allow the setting of specific timed intervals between loops of an animation action; [0053]), and to transmit the text message, the generated control information, and the font used to express the text message, to a server (120,130) (Figure 1; [0056], [0026], [0028]), wherein said control information includes a parameter to control motion of the font ([0052], [0053]);

said server to store the received text message and control information as message information, and to store the received font, wherein said first terminal further transmitting access path information to access the message information stored in said server, to a second terminal ([0056]); and

said second terminal to make access to said server on the basis of the access path information received from said first terminal, and to download the message

information and a corresponding font, and to thereby reproduce the character mail ([0059], [0047]).

Borthwick does not teach, but Ellson does teach: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Based on Borthwick in view of Ellson, it would have been obvious to a person having ordinary skill in the art at the time the Applicant's invention was made, to combine the teaching of Ellson with the claimed subject matter as taught by Borthwick, in order to create a depth text image requiring a temporal sequence of views for an animation of the text characters (Ellson at column 7, lines 1-23).

With regard to claim **20**, Borthwick teaches: A character mail system for reproducing electronic mail, comprising:

a first terminal (110) to create character mail, to generate control information about a font for expressing an input text message (i.e., pause buttons may be associated with variables that are entered as keyboard entries and thereby provide input for functions that allow the setting of specific timed intervals between loops of an animation action; [0053]), and to transmit the text message and the generated control information to a second terminal (140) (Figure 1; [0056], [0026], [0028]); and

said second terminal to specify the font necessary for reproducing the character mail on the basis of the text message and the control information received from said first terminal, to download the specified font from a server, and to reproduce the character

mail on the basis of the text message and the control information received from said first terminal and the font downloaded from said server ([0059]).

Borthwick does not teach, but Ellson does teach: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Based on Borthwick in view of Ellson, it would have been obvious to a person having ordinary skill in the art at the time the Applicant's invention was made, to combine the teaching of Ellson with the claimed subject matter as taught by Borthwick, in order to create a depth text image requiring a temporal sequence of views for an animation of the text characters (Ellson at column 7, lines 1-23).

With regard to claim **21**, Borthwick teaches: A character mail system for reproducing electronic mail, comprising:

a first terminal (110) to create character mail, to store a font (i.e., an embedded font file may be imported into writer template 100 on author computer 110; Figure 1; [0047], [0026], [0028]), to generate control information about a font for expressing an input text message (i.e., pause buttons may be associated with variables that are entered as keyboard entries and thereby provide input for functions that allow the setting of specific timed intervals between loops of an animation action; [0053]), and to transmit the text message, the generated control information, and the font used to express the text message, directly to a second terminal (140) (Figure 1; [0056], [0026], [0028], [0061]); and

said second terminal to reproduce the character mail on the basis of the text message, the control information and the font received from said first terminal ([0059]).

Borthwick does not teach, but Ellson does teach: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Based on Borthwick in view of Ellson, it would have been obvious to a person having ordinary skill in the art at the time the Applicant's invention was made, to combine the teaching of Ellson with the claimed subject matter as taught by Borthwick, in order to create a depth text image requiring a temporal sequence of views for an animation of the text characters (Ellson at column 7, lines 1-23).

With regard to claim **22**, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 21 (see discussion above). Borthwick further teaches: wherein said first terminal further reproducing character mail on the basis of the input text message, the generated control information and the font, to thereby previously confirm a reproduced state of the character mail (i.e., an email menu includes a second text box for an email address where the sender intends to store a personal copy of the record of the rich media production; [0056]; because the sender's computer is a client computer, it can include a reader template to display the rich media production; [0011]). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Therefore, the limitations of claim 22 are rejected in the analysis of claim 21, and the claim is rejected on that basis.

With regard to claim **23**, Borthwick teaches: A character mail system for reproducing electronic mail, comprising:

a first terminal (110) to create character mail, to generate control information about a font for expressing an input text message (i.e., pause buttons may be associated with variables that are entered as keyboard entries and thereby provide input for functions that allow the setting of specific timed intervals between loops of an animation action; [0053]), and to transmit the text message and the generated control information directly to a second terminal (140) (Figure 1; [0056], [0026], [0028], [0061]), wherein the control information includes a motion parameter of the font (i.e., the specific timed intervals; [0053]);

said second terminal to store the font (i.e., the text data string representing all of the features of the entire rich media production, including the embedded font file (*supra*), is accessed and read by reader template 146 on recipient computer 140; [0056], [0059]) and to reproduce the character mail on the basis of the text message and the control information received directly from said first terminal and the font stored in said second terminal ([0059]).

Borthwick does not teach, but Ellson does teach: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Based on Borthwick in view of Ellson, it would have been obvious to a person having ordinary skill in the art at the time the Applicant's invention was made, to combine the teaching of Ellson with the claimed subject matter as taught by Borthwick, in order to create a depth text image

requiring a temporal sequence of views for an animation of the text characters (Ellson at column 7, lines 1-23).

With regard to claim **24**, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 20 (see discussion above). Borthwick further teaches: wherein said first terminal further storing the font (i.e., an embedded font file may be imported into writer template 100 on author computer 110; [0047], [0030]) and reproducing the character mail on the basis of the input text message, the generated control information, and the font stored in said first terminal, to thereby previously confirm a reproduced state of the character mail (i.e., an email menu includes a second text box for an email address where the sender intends to store a personal copy of the record of the rich media production; [0056]; because the sender's computer is a client computer, it can include a reader template to display the rich media production; [0011]). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Therefore, the limitations of claim 24 are rejected in the analysis of claim 20, and the claim is rejected on that basis.

With respect to claim 25, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 19 (see discussion above). Borthwick further teaches: wherein said first terminal includes a recording medium removably attached to the body of the first terminal (As is apparent to one skilled in the art, files used in the inventive system may be stored on other computing units, pg. 8 par. 60) and the font to be used

in the character mail is stored in said recording medium (As is apparent to one skilled in the art, files used in the inventive system may be stored on other computing units, pg. 8 par. 60). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Therefore, the limitations of claim 25 are rejected in the analysis of claim 19, and the claim is rejected on that basis.

With respect to claim 26, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 23 (see discussion above). Borthwick further teaches: wherein said second terminal includes a recording medium removably attached to the body of the second terminal (As is apparent to one skilled in the art, files used in the inventive system may be stored on other computing units, pg. 8 par. 60) and the font to be used in the character mail is stored in said recording medium (As is apparent to one skilled in the art, files used in the inventive system may be stored on other computing units, pg. 8 par. 60). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Therefore, the limitations of claim 26 are rejected in the analysis of claim 23, and the claim is rejected on that basis.

With respect to claim 27, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 20 (see discussion above). Borthwick further teaches: said control information specifying a font type of the font to be used (i.e., generating an email record with the address of at least one recipient; generating files for the rich media production and sending the files to the host server, pg. 1 par. 9 and The creator may also use a font menu 514 on import menu interface 502 to access a menu of font files that are used to insert text into writer template 100. The user's menu choices

determine the font type and other characteristics of the text, such as bold or italic style and right or left justification. When the user clicks a selection button, the user is allowed to import an embedded font file of editable text as a text box. The font file is associated with a container object. The embedded font file has the properties of the user-selected style and justification as determined in the menu selections, pg. 6 par. 47). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Therefore, the limitations of claim 27 are rejected in the analysis of claim 20, and the claim is rejected on that basis.

With respect to claim 28, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 20 (see discussion above). Borthwick further teaches: wherein said control information contains a parameter for the font to be used (i.e., generating an email record with the address of at least one recipient; generating files for the rich media production and sending the files to the host server, pg. 1 par. 9 and The creator may also use a font menu 514 on import menu interface 502 to access a menu of font files that are used to insert text into writer template 100. The user's menu choices determine the font type and other characteristics of the text, such as bold or italic style and right or left justification. When the user clicks a selection button, the user is allowed to import an embedded font file of editable text as a text box. The font file is associated with a container object. The embedded font file has the properties of the user-selected style and justification as determined in the menu selections, pg. 6 par. 47). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and

4b; column 4, lines 9-29). Therefore, the limitations of claim 28 are rejected in the analysis of claim 20, and the claim is rejected on that basis.

With respect to claim 31, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 17 (see discussion above). Borthwick further teaches: wherein said text message contains an icon (The client computer also includes means for activating a URL in an email that launches the web browser, for accessing a unique HTML page by clicking the URL in the email, for downloading the reader template, for launching the reader template that accesses and reads a unique data string from the host server and uses the data string to locate images and media used in the rich media production, and means for loading the images and media into the reader template and thereby reproducing the original appearance and properties of the rich media production, pg. 2 par. 11, an icon is understood to be a miniature image). Therefore, the limitations of claim 31 are rejected in the analysis of claim 17, and the claim is rejected on that basis.

With respect to claim 32, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 23 (see discussion above). Borthwick further teaches: wherein said first terminal further storing the font (i.e., The creator may also use a font menu 514 on import menu interface 502 to access a menu of font files that are used to insert text into writer template 100. The user's menu choices determine the font type and other characteristics of the text, such as bold or italic style and right or left justification. When the user clicks a selection button, the user is allowed to import an embedded font file of editable text as a text box. The font file is associated with a

container object. The embedded font file has the properties of the user-selected style and justification as determined in the menu selections, pg. 6 par. 47, The author's ability to import fonts implicitly teaches that those fonts would be in a storage on the author's terminal); and reproducing the character mail on the basis of the input text message, the generated control information and the font stored in said first terminal, to thereby previously confirm a reproduced state of the character mail (i.e., The client computer includes a reader template and a web page. The reader template enables the client component to access the rich media production. The reader template is used to communicate with a host server that stores multiple components. The web browser includes a player for launching the reader template. The client computer also includes means for activating a URL in an email that launches the web browser, for accessing a unique HTML page by clicking the URL in the email, for downloading the reader template, for launching the reader template that accesses and reads a unique data string from the host server and uses the data string to locate images and media used in the rich media production, and means for loading the images and media into the reader template and thereby reproducing the original appearance and properties of the rich media production, pg. 2 par. 11). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Therefore, the limitations of claim 32 are rejected in the analysis of claim 23, and the claim is rejected on that basis.

With respect to claim 33, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 21 (see discussion above). Borthwick further teaches:

wherein said first terminal includes a recording medium removably attached to the body of the terminal (As is apparent to one skilled in the art, files used in the inventive system may be stored on other computing units, pg. 8 par. 60) and a font to be used in the character mail is stored in said recording medium and supplied (As is apparent to one skilled in the art, files used in the inventive system may be stored on other computing units, pg. 8 par. 60). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Therefore, the limitations of claim 33 are rejected in the analysis of claim 21, and the claim is rejected on that basis.

With respect to claim 34, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 21 (see discussion above). Borthwick further teaches: said control information specifying a font type of the font to be used (i.e., generating an email record with the address of at least one recipient; generating files for the rich media production and sending the files to the host server, pg. 1 par. 9 and The creator may also use a font menu 514 on import menu interface 502 to access a menu of font files that are used to insert text into writer template 100. The user's menu choices determine the font type and other characteristics of the text, such as bold or italic style and right or left justification. When the user clicks a selection button, the user is allowed to import an embedded font file of editable text as a text box. The font file is associated with a container object. The embedded font file has the properties of the user-selected style and justification as determined in the menu selections, pg. 6 par. 47). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and

4b; column 4, lines 9-29). Therefore, the limitations of claim 34 are rejected in the analysis of claim 21, and the claim is rejected on that basis.

With respect to claim 35, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 23 (see discussion above). Borthwick further teaches: said control information specifying a font type of the font to be used (i.e., generating an email record with the address of at least one recipient; generating files for the rich media production and sending the files to the host server, pg. 1 par. 9 and The creator may also use a font menu 514 on import menu interface 502 to access a menu of font files that are used to insert text into writer template 100. The user's menu choices determine the font type and other characteristics of the text, such as bold or italic style and right or left justification. When the user clicks a selection button, the user is allowed to import an embedded font file of editable text as a text box. The font file is associated with a container object. The embedded font file has the properties of the user-selected style and justification as determined in the menu selections, pg. 6 par. 47). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Therefore, the limitations of claim 35 are rejected in the analysis of claim 23, and the claim is rejected on that basis.

With respect to claim 36, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 21 (see discussion above). Borthwick further teaches: said control information specifying a font type of the font to be used (i.e., generating an email record with the address of at least one recipient; generating files for the rich media production and sending the files to the host server, pg. 1 par. 9 and The creator

may also use a font menu 514 on import menu interface 502 to access a menu of font files that are used to insert text into writer template 100. The user's menu choices determine the font type and other characteristics of the text, such as bold or italic style and right or left justification. When the user clicks a selection button, the user is allowed to import an embedded font file of editable text as a text box. The font file is associated with a container object. The embedded font file has the properties of the user-selected style and justification as determined in the menu selections, pg. 6 par. 47). Ellson further teaches: 3D character, 3D font, and 3D message information (Figures 3, 4a and 4b; column 4, lines 9-29). Therefore, the limitations of claim 36 are rejected in the analysis of claim 21, and the claim is rejected on that basis.

With respect to claim 41, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 19 (see discussion above). Borthwick further teaches: wherein said text message contains an icon (The client computer also includes means for activating a URL in an email that launches the web browser, for accessing a unique HTML page by clicking the URL in the email, for downloading the reader template, for launching the reader template that accesses and reads a unique data string from the host server and uses the data string to locate images and media used in the rich media production, and means for loading the images and media into the reader template and thereby reproducing the original appearance and properties of the rich media production, pg. 2 par. 11, an icon is understood to be a miniature image). Therefore, the limitations of claim 41 are rejected in the analysis of claim 19, and the claim is rejected on that basis.

With respect to claim 42, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 20 (see discussion above). Borthwick further teaches: wherein said text message contains an icon (The client computer also includes means for activating a URL in an email that launches the web browser, for accessing a unique HTML page by clicking the URL in the email, for downloading the reader template, for launching the reader template that accesses and reads a unique data string from the host server and uses the data string to locate images and media used in the rich media production, and means for loading the images and media into the reader template and thereby reproducing the original appearance and properties of the rich media production, pg. 2 par. 11, an icon is understood to be a miniature image). Therefore, the limitations of claim 42 are rejected in the analysis of claim 20, and the claim is rejected on that basis.

With respect to claim 43, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 21 (see discussion above). Borthwick further teaches: wherein said text message contains an icon (The client computer also includes means for activating a URL in an email that launches the web browser, for accessing a unique HTML page by clicking the URL in the email, for downloading the reader template, for launching the reader template that accesses and reads a unique data string from the host server and uses the data string to locate images and media used in the rich media production, and means for loading the images and media into the reader template and thereby reproducing the original appearance and properties of the rich media production, pg. 2 par. 11, an icon is understood to be a miniature image). Therefore,

the limitations of claim 43 are rejected in the analysis of claim 21, and the claim is rejected on that basis.

With respect to claim 44, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 23 (see discussion above). Borthwick further teaches: wherein said text message contains an icon (The client computer also includes means for activating a URL in an email that launches the web browser, for accessing a unique HTML page by clicking the URL in the email, for downloading the reader template, for launching the reader template that accesses and reads a unique data string from the host server and uses the data string to locate images and media used in the rich media production, and means for loading the images and media into the reader template and thereby reproducing the original appearance and properties of the rich media production, pg. 2 par. 11, an icon is understood to be a miniature image). Therefore, the limitations of claim 44 are rejected in the analysis of claim 23, and the claim is rejected on that basis.

5. Claims **29, 30 and 38-40** are rejected under 35 U.S.C. 103(a) as being unpatentable over Borthwick in view of Ellson, and further in view of **Khare** ("Bitstream portable font resources for Web pages", 20 February 1997, retrieved from <http://www.xent.com/FoRK-archive/winter96/0524.html> on 1 May 2009).

With respect to claim 29, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 20 (see discussion above). Borthwick in view of Ellson

does not teach, but Khare does teach: wherein the font transmitted to said second terminal is encrypted. However, Khare teaches the font transmitted to a second terminal being encrypted (i.e., "The PFR resides on the host web server with the html document and is linked with a tag (meta I think). When the page is accessed by a browser, in this case Communicator, the PFR is downloaded with the html file the same way a GIF or JPEG would be. The viewer sees the typefaces displayed with anti-aliasing in their browser window without the fonts being installed on their system", 3rd paragraph and The outline information in the PFR is encrypted to prevent piracy, 7th paragraph). Based on Borthwick in view of Ellson and further in view of Khare, it would have been obvious to a person having ordinary skill in the art at the time the Applicant's invention was made, to combine the teaching of Khare with the claimed subject matter as taught by Borthwick in view of Ellson, in order to conserve bandwidth and prevent font piracy (Khare at 4th and 7th ¶¶).

With respect to claim 30, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 20 (see discussion above). Borthwick in view of Ellson does not teach, but Khare does teach: wherein the font transmitted to said second terminal is encrypted. However, Khare teaches the font transmitted to a second terminal being encrypted (i.e., "The PFR resides on the host web server with the html document and is linked with a tag (meta I think). When the page is accessed by a browser, in this case Communicator, the PFR is downloaded with the html file the same way a GIF or JPEG would be. The viewer sees the typefaces displayed with anti-aliasing in their browser window without the fonts being installed on their system", 3rd paragraph and

The outline information in the PFR is encrypted to prevent piracy, 7th paragraph). Based on Borthwick in view of Ellson and further in view of Khare, it would have been obvious to a person having ordinary skill in the art at the time the Applicant's invention was made, to combine the teaching of Khare with the claimed subject matter as taught by Borthwick in view of Ellson, in order to conserve bandwidth and prevent font piracy (Khare at 4th and 7th ¶¶).

With respect to claim 38, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 21 (see discussion above). Borthwick in view of Ellson does not teach, but Khare does teach: wherein the font transmitted to said second terminal is encrypted. However, Khare teaches the font transmitted to a second terminal being encrypted (i.e., "The PFR resides on the host web server with the html document and is linked with a tag (meta I think). When the page is accessed by a browser, in this case Communicator, the PFR is downloaded with the html file the same way a GIF or JPEG would be. The viewer sees the typefaces displayed with anti-aliasing in their browser window without the fonts being installed on their system", 3rd paragraph and The outline information in the PFR is encrypted to prevent piracy, 7th paragraph). Based on Borthwick in view of Ellson and further in view of Khare, it would have been obvious to a person having ordinary skill in the art at the time the Applicant's invention was made, to combine the teaching of Khare with the claimed subject matter as taught by Borthwick in view of Ellson, in order to conserve bandwidth and prevent font piracy (Khare at 4th and 7th ¶¶).

With respect to claim 39, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 21 (see discussion above). Borthwick in view of Ellson does not teach, but Khare does teach: wherein the font transmitted to said second terminal is encrypted. However, Khare teaches the font transmitted to a second terminal being encrypted (i.e., "The PFR resides on the host web server with the html document and is linked with a tag (meta I think). When the page is accessed by a browser, in this case Communicator, the PFR is downloaded with the html file the same way a GIF or JPEG would be. The viewer sees the typefaces displayed with anti-aliasing in their browser window without the fonts being installed on their system", 3rd paragraph and The outline information in the PFR is encrypted to prevent piracy, 7th paragraph). Based on Borthwick in view of Ellson and further in view of Khare, it would have been obvious to a person having ordinary skill in the art at the time the Applicant's invention was made, to combine the teaching of Khare with the claimed subject matter as taught by Borthwick in view of Ellson, in order to conserve bandwidth and prevent font piracy (Khare at 4th and 7th ¶¶).

With respect to claim 40, Borthwick in view of Ellson teaches: The 3D character mail system according to claim 23 (see discussion above). Borthwick in view of Ellson does not teach, but Khare does teach: wherein the font transmitted to said second terminal is encrypted. However, Khare teaches the font transmitted to a second terminal being encrypted (i.e., "The PFR resides on the host web server with the html document and is linked with a tag (meta I think). When the page is accessed by a browser, in this case Communicator, the PFR is downloaded with the html file the same way a GIF or

JPEG would be. The viewer sees the typefaces displayed with anti-aliasing in their browser window without the fonts being installed on their system", 3rd paragraph and The outline information in the PFR is encrypted to prevent piracy, 7th paragraph). Based on Borthwick in view of Ellson and further in view of Khare, it would have been obvious to a person having ordinary skill in the art at the time the Applicant's invention was made, to combine the teaching of Khare with the claimed subject matter as taught by Borthwick in view of Ellson, in order to conserve bandwidth and prevent font piracy (Khare at 4th and 7th ¶¶).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Isom whose telephone number is (571)270-7203.

The examiner can normally be reached on Monday through Friday, 9:30 a.m. to 6:00 p.m. ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Hwang can be reached on (571)272-4036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. I./
Examiner, Art Unit 2447
11/6/2009

/Joon H. Hwang/
Supervisory Patent Examiner, Art Unit 2447